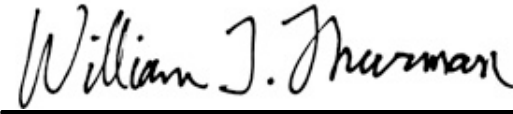


The below described is **SIGNED**.

Dated: November 2, 2013



WILLIAM T. THURMAN
U.S. Bankruptcy Judge



Prepared and Submitted by:

Lon A. Jenkins (USB #4060)
Paul R. Smith (USB #14325)
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*Attorneys for Creditor Wailea Pualani Estates
Homeowners' Association.*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re:

MICHAEL J. SZYMANSKI,

Debtor.

Bankruptcy No. 13-22040
(Chapter 13)

Honorable William T. Thurman

**ORDER DENYING DEBTOR MICHAEL J. SZYMANSKI'S MOTION TO VACATE
DISMISSAL AND TO CONVERT CASE TO CHAPTER 11**

Before the Court is Debtor Michael J. Szymanski's Motion to Vacate Dismissal, Motion to Convert Case to Chapter 11 (the "Motion to Vacate and Convert") (Docket No. 56). The Court held a hearing on the Motion to Vacate and Convert on September 23, 2013 at 2:00 p.m. Appearing pro se was Debtor Michael J. Szymanski. Appearing for creditor Wailea Pualani Estates Homeowners Association was Paul R. Smith of Jones Waldo Holbrook & McDonough PC. Based upon the papers submitted to the Court and the representations, statements, and argument of the parties at the hearing, the Court made findings of fact and conclusions of law on the record, which are incorporated herein. Having considered the Motion to Vacate and Convert, and good cause appearing therefor,

IT IS HEREBY ORDERED that the Motion to Vacate and Convert is DENIED.

-----End of Document-----

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of October, 2013, I caused a true and correct copy of the foregoing ORDER DENYING DEBTOR MICHAEL J. SZYMANSKI'S MOTION TO VACATE DISMISSAL AND TO CONVERT CASE TO CHAPTER 11 to be served through the Court's CM/ECF System by electronic filing to the persons listed below:

PRO SE
ECF NOTIFICATION

I hereby certify that on the 23rd day of October, 2013, I caused a true and correct copy of the foregoing ORDER DENYING DEBTOR MICHAEL J. SZYMANSKI'S MOTION TO VACATE DISMISSAL AND TO CONVERT CASE TO CHAPTER 11 to be served via US Mail, first-class postage prepaid, to the person listed below:

Michael J Szymanski
P.O. Box 1468
Riverton, UT 84065

/s/ Lon A. Jenkins